



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on April 8, 2008

Date of Meeting: February 12, 2008

The Mayor and Council of the City of Tucson met in regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona, at 5:52 p.m., on Tuesday, February 12, 2008, all members having been notified of the time and place thereof.

1. ROLL CALL

The meeting was called to order by Mayor Walkup and upon roll call, those present and absent were:

Present:

Regina Romero	Council Member Ward 1
Rodney Glassman	Council Member Ward 2
Karin Uhlich	Council Member Ward 3
Shirley C. Scott	Council Member Ward 4
Steve Leal	Council Member Ward 5
Nina J. Trasoff	Vice Mayor, Council Member Ward 6
Robert E. Walkup	Mayor

Absent/Excused:

None

Staff Members Present:

Mike Hein	City Manager
Michael Rankin	City Attorney
Roger W. Randolph	City Clerk
Mike Letcher	Deputy City Manager

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Chaplain Kim Bowen, Davis Monthan Air Force Base, after which the Pledge of Allegiance was presented by the entire assembly.

Presentations:

- a. Mayor Walkup, assisted by Council Member Leal, presented a certificate of appreciation to Frank Hale, Ph.D., Executive Director of El Pueblo Health Center, in recognition of his service to the community.
- b. Mayor Walkup, assisted by Alberto Arenas, Professor at the University of Arizona, presented certificates to college students from Bolivia and Peru making them Honorary Citizens of Tucson.
- c. Mayor Walkup, assisted by Council Member Uhlich, presented certificates of appreciation to the Animal Welfare Alliance of Southern Arizona (AWASA) partners in recognition of their efforts towards ending pet overpopulation.

Roger W. Randolph, City Clerk, announced Susie Rogers would be assisting with anyone in the audience needing Spanish language translation for items listed on the agenda.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager's communication number 62, dated February 12, 2008, was received into and made a part of the record. He also announced this was the time scheduled to allow members of the Mayor and Council to report on current events and asked if there were any reports.

- a. Council Member Glassman announced two upcoming Ward 2 events. On February 14, 2008, the Ward 2 office would host a Senior Valentine's Day Tea at Eastside City Hall. Also, on February 28, the Ward 2 office would host an appreciation event for the Tucson Police Department and unsung heroes.
- b. Council Member Uhlich thanked Paul Kramoski, Marketing Director for Pima Federal Credit Union, for their donation of forty-five silk screen shirts for the after school inner-city sports program at Northwest Neighborhood Center.

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager's communication number 63, dated February 12, 2008, was received into and made a part of the record. He also announced this was the time scheduled to allow the City Manager to report on current events, and asked for that report.

No report was given.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager's communication number 65, dated February 12, 2008, was received into and made a part of the record. He asked the City Clerk to read the Liquor License Agenda.

b. Liquor License Applications

New License(s)

1. Golden Spring Hawaiian BBQ, Ward 2
1340 N. Wilmot Rd.
Applicant: Kuo Kei Wong
Series 12, City 97-07
Action must be taken by: February 15, 2008
Staff has indicated the applicant is in compliance with city requirements.
Considered separately.
2. On A Roll, Ward 6
63 E. Congress St.
Applicant: Teresa Ann Moreno
Series 12, City 1-08
Action must be taken by: February 16, 2008
Staff has indicated the applicant is in compliance with city requirements.

c. Special Event(s)

NOTE: There were no special events scheduled for this meeting.

d. Agent Change/Acquisition of Control

NOTE: There were no agent changes scheduled for this meeting.

It was moved by Council Member Romero, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license application 5b2 to the Arizona State Liquor Board with a recommendation for approval.

5. LIQUOR LICENSE APPLICATIONS

b. Liquor License Applications

New License(s)

1. Golden Spring Hawaiian BBQ, Ward 2
1340 N. Wilmot Rd.
Applicant: Kuo Kei Wong
Series 12, City 97-07
Action must be taken by: February 15, 2008
Staff has indicated the applicant is in compliance with city requirements.

Roger W. Randolph, City Clerk, announced the item to be considered separately was Item 5b1, Golden Spring Hawaiian BBQ. Staff has indicated the applicant was in compliance with city requirements. However, as of 5:30 p.m., the applicant had not paid the processing fee for the application and therefore would be considered separately. The application is located in Ward 2.

Council Member Glassman asked if Mr. Wong, the applicant, was present. There was no response. Council Member Glassman said their office made several unsuccessful attempts to contact the applicant to schedule a meeting, because there were no complaints from neighbors.

It was moved by Council Member Glassman, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license application 5b1 to the Arizona State Liquor Board with a recommendation for denial.

6. CALL TO THE AUDIENCE

Mayor Walkup announced this was the time any member of the public was allowed to address the Mayor and Council on any issue except for items scheduled for a public hearing. Speakers were limited to three-minute presentations. The call to the audience was scheduled to last thirty minutes.

- a. Jenny Neeley spoke in opposition to the proposed water rate increase. She urged the Council to fully fund the Tucson Water Financial Plan.
- b. Christina McVie, Conservation Chairperson for the Tucson Audubon Society, urged the Council to move forward and fully fund the Tucson Water Financial Plan.
- c. Carolyn Campbell spoke in support of the Tucson Water Financial Plan. She thanked the Council for their leadership on water conservation issues in the community.

- d. Jason Meininger thanked the Council for their action on the Tucson Water Financial Plan, and encouraged them to move quickly and aggressively on the issue of conservation, and to fully fund the Plan.
- e. Roy Warden spoke about security issues at City Hall. He also spoke about the open border policy and illegal immigration in the community.
- f. Jennifer Allen, representing the Border Action Network, thanked the Council for their contribution to the Border Action Network.
- g. Evan Canfield thanked the Council for their action on the Tucson Water Financial Plan.
- h. Michael Toney spoke about trees that were cut down, and Spring training in Tucson.
- i. Dale Rouse spoke about the loophole in the Tucson Code that allowed Tucson Businesses to locate disabled parking away from their entrances. He urged the Mayor and Council to take a look.

7. CONSENT AGENDA – ITEMS A THROUGH E

Mayor Walkup announced the reports and recommendations from the City Manager on the Consent Agenda were received into and made a part of the record. He asked the City Clerk to read the Consent Agenda.

- A. GRANT APPLICATION: TO THE STATE OF ARIZONA FOR HERITAGE FUNDING ASSISTANCE FOR JUHAN PARK IMPROVEMENTS
 - 1. Report from City Manager FEB12-08-69 WARD 1
 - 2. Resolution No. 20882 relating to historic preservation; approving the application to the State of Arizona for Heritage Funding assistance for Juhan Park improvements; and declaring an emergency.
- B. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR VAN TRAN PARATRANSIT SERVICE
 - 1. Report from City Manager FEB12-08-70 CITY-WIDE AND OUTSIDE CITY

2. Resolution No. 20883 relating to Transportation; authorizing and approving the “Termination Agreement” terminating City of Tucson Contract No. 0585-07, RTA Intergovernmental Agreement (IGA) for P-47 Van Tran Paratransit Service; and declaring an emergency.
3. Resolution No. 20884 relating to Transportation; authorizing and approving the “Intergovernmental Transportation Funding Agreement between the Regional Transportation Authority of Pima County and the City of Tucson for Regional Transit Service Improvements: Project 47 – Special Needs Transit for Elderly and Disabled Citizens–Van Tran Paratransit Service”; and declaring an emergency.

C. FINANCE: COMMUNITY SUPPORT FUND TRANSFER FOR BORDER ACTION NETWORK

1. Report from City Manager FEB12-08-73 WARD 3
2. Resolution No. 20886 relating to Finance; approving and authorizing the allocation of Five Hundred Dollars (\$500) from the Ward 3 Office Community Support Fund, Account No. 001-183-1898-268, to the Border Action Network to assist with funding of its programs; and declaring an emergency.

This was a request by Council Member Uhlich. Allocation of funds is as follows: Council Member Uhlich - \$500.00.

Roger W. Randolph, City Clerk, announced an amendment to Consent Agenda Item C. Council Member Leal would be adding \$200, and Vice Mayor Trasoff would be adding \$300, for a total of \$1,000.

D. WATER: ADOPTING TUCSON WATER’S FINANCIAL PLAN FOR FISCAL YEARS 2008 THROUGH 2013

1. Report from City Manager FEB12-08-71(2) CITY-WIDE AND OUTSIDE CITY
2. Resolution No. 20887 relating to Tucson Water; authorizing and adopting the Tucson Water Financial Plan for the period from fiscal year 2008 through fiscal year 2013; and declaring an emergency.

Roger W. Randolph, City Clerk, announced the City Attorney had amendments to this item.

Michael Rankin, City Attorney, stated per the motion made in Study Session, read into the record the following modifications to Resolution No. 20887. Section 3 had been modified to read as follows:

“The Mayor and Council hereby adopt the Tucson Water Financial Plan. Attached is Exhibit A for Fiscal Year 2009, and direct City staff to proceed with implementation of the rate and revenue components of the Plan. The Mayor and Council further direct staff to prepare revisions to the Financial Plan to include full funding of the recommendation of the Community Conservation Task Force over the five years of the Financial Plan and to present these revisions to the Mayor and Council for consideration in approximately sixty days.”

Mr. Rankin also stated a new Section 4 had been added to read as follows:

“The Mayor and Council direct staff to prepare any documents necessary for the creation of a separate conservation fund to serve as a dedicated funding source for the funded conservation programs, and present them for Mayor and Council consideration in approximately sixty days.”

Mr. Rankin said the additional items in the motion at Study Session had already been accomplished through the adoption of that motion in terms of the direction, with respect to the town halls and the continuing discussion of the item the Council addressed at Study Session.

E. APPLICATION: TO THE ARIZONA CORPORATION COMMISSION FOR
LEAVE TO INTERVENE IN TUCSON ELECTRIC POWER RATE
PROCEEDINGS

1. Report from City Manager FEB12-08-72 CITY-WIDE

Roger W. Randolph, City Clerk, announced that staff has reconsidered this item and it would not be recommended.

It was moved by Council Member Glassman, duly seconded, that Consent Agenda Items A through D, with Items C and D as amended, be passed and adopted and the proper action taken.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott, and Leal;
Vice Mayor Trasoff and Mayor Walkup

Nay: None

Consent Agenda Items A through D, with Items C and D as amended, were declared passed and adopted by a roll call vote of 7 to 0. Consent Agenda Item E was removed from the Consent Agenda at the request of staff.

8. ZONING: (C9-02-32) A-C INVESTMENTS – AJO WAY, R-1/R-2 TO I-1, ORDINANCE ADOPTION (CONTINUED FROM THE MEETING OF JANUARY 15, 2008)

Mayor Walkup announced City Manager's communication number 66, dated February 12, 2008, was received into and made a part of the record. He asked the City Clerk to read Ordinance 10495 by number and title only.

Ordinance No. 10495 relating to zoning: amending zoning district boundaries in the area located on the southeast corner of the Ajo Way Road and Kino Boulevard intersection, at the I-10 Interchange in Case C9-02-32, A-C Investments Ajo Way, R-1/R-2 to I-1; and setting an effective date.

It was moved by Council Member Leal, duly seconded, that Ordinance 10495 be passed and adopted and the proper action taken.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott, and Leal;
Vice Mayor Trasoff and Mayor Walkup

Nay: None

Ordinance 10495 was declared passed and adopted by a roll call vote of 7 to 0.

9. ZONING: (C9-05-25) ALTSCHUL – BELLEVUE STREET, R-1 TO P, ORDINANCE ADOPTION

Mayor Walkup announced City Manager's communication number 67, dated February 12, 2008, was received into and made a part of the record. He asked the City Clerk to read Ordinance 10500 by number and title only.

Ordinance No. 10500 relating to zoning: amending zoning district boundaries in the area located approximately 300 feet north of Speedway Boulevard, on the west side of the Alamo Avenue Alignment in Case C9-05-25, Altschul – Bellevue Street, R-1 to P; and setting an effective date.

It was moved by Vice Mayor Trasoff, duly seconded, that Ordinance 10500 be passed and adopted and the proper action taken.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott, and Leal;
Vice Mayor Trasoff and Mayor Walkup

Nay: None

Ordinance 10500 was declared passed and adopted by a roll call vote of 7 to 0.

10. ZONING: (C9-07-15) TU NIDITO – MOUNTAIN AVENUE, R-1 TO P, ORDINANCE ADOPTION

Mayor Walkup announced City Manager's communication number 68, dated February 12, 2008, was received into and made a part of the record. He asked the City Clerk to read Ordinance 10501 by number and title only.

Ordinance No. 10501 relating to zoning: amending zoning district boundaries in the area located at 3922 North Mountain Avenue, the southeast corner of Mountain Avenue and Duke Drive in Case C9-07-15, Tu Nidito – Mountain Avenue, R-1 to P Zone; and setting an effective date.

It was moved by Council Member Uhlich, duly seconded, that Ordinance 10501 be passed and adopted and the proper action taken.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott, and Leal;
Vice Mayor Trasoff and Mayor Walkup

Nay: None

Ordinance 10501 was declared passed and adopted by a roll call vote of 7 to 0.

11. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager's communication number 64, dated February 12, 2008, was received into and made a part of the record. He asked for a motion to approve the appointments in the report.

It was moved by Council Member Uhlich, duly seconded, and carried by a voice vote of 7 to 0 to appoint Danielle Flink and to reappoint A. Michael Hutchins, Ph.D. to the Tucson Commission on Gay, Lesbian, Bisexual and Transgender Issues (GLBT); and to appoint Thomas Meixner to the Citizens' Water Advisory Committee.

Mayor Walkup asked if there were any personal appointments to be made.

Council Member Romero made the following personal appointments: Raúl Aguirre to the Small Business Commission, Dr. Yolanda Broyles-Gonzales to the Pima County Tucson Women's Commission, Kathy Cooper to the Planning Commission, Victor Flores to the Human Relations Commission, Estevan Rodriguez to the Tucson Pima County Historical Commission, and to reappoint John Bordenave to the Stormwater Advisory Committee, and Frank Velasco to the Public Education and Government Television Channel Task Force.

12. ADJOURNMENT: 6:52 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Wednesday, February 20, 2008, at 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 12th day of February, 2008, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:sac:kad